

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

1201WEST GIRARD AVENUE, LLC,	:	CIVIL ACTION
ORI FEIBUSH	:	
	:	
v.	:	NO. 23-3488
	:	
DARRELL L. CLARKE	:	

ORDER

AND NOW, this 4th day of December 2023, following removal from state court (ECF No. 1), upon considering Defendant's Motion to dismiss (ECF No. 14), Plaintiffs' Response (ECF No. 15), Defendant's Reply (ECF No. 16), Plaintiffs' Surreply filed with leave (ECF No. 20), following oral argument, and for reasons in today's accompanying Memorandum, it is **ORDERED** we **GRANT in part** Defendant's Motion to dismiss (ECF No. 14) requiring we:

1. **Dismiss** Plaintiffs' federal question claims invoking our limited subject matter jurisdiction under the substantive due process and equal protection clauses;
2. **Decline** to exercise supplemental jurisdiction over the remaining claims as we do not retain jurisdiction over a federal question; and,
3. **Direct** the Clerk of Court forthwith **remand** the case to the Prothonotary of the Court of Common Pleas of Philadelphia County (Dkt. Case No. 230401094) and **close** this case in our District.



KEARNEY, J.